

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

Case No. 7:24-CR-00057-M

UNITED STATES OF AMERICA,

Plaintiff,

v.

OLEGARIO PINEDA-PALACIOS,

Defendant.

ORDER

This matter comes before the court sua sponte. On October 10, 2024, the court continued Defendant's supervised release hearing after raising questions to the parties concerning the court's subject-matter jurisdiction. *See* DE 20. The court requested briefing on that topic within sixty days. *See id.* Sixty days have since passed and neither party has provided any response. Accordingly, the court sets this matter for a telephonic status conference on Tuesday, December 17, at 2:00 p.m. The parties should be prepared to address whether (1) the court retains jurisdiction to adjudicate Violation 2 under 18 U.S.C. § 3583(i), and (2) whether fugitive tolling applies for Violations 1 and 3 under *United States v. Buchanan*, 638 F.3d 448 (4th Cir. 2011) and *United States v. Thompson*, 924 F.3d 122 (4th Cir. 2019). *Cf. United States v. De Leon-Ramirez*, 925 F.3d 177, 183 (4th Cir. 2019); *Streep v. United States*, 160 U.S. 128, 133 (1895).

SO ORDERED this 12th day of December, 2024.



RICHARD E. MYERS II
CHIEF UNITED STATES DISTRICT JUDGE